

## WEATHER FORECAST.

Partly cloudy to-day and to-morrow; not much change in temperature.  
Highest temperature yesterday, 34; lowest, 17.  
Detailed weather reports will be found on Editorial page.

VOL. LXXXV.—NO. 179—DAILY.

NEW YORK, FRIDAY, FEBRUARY 25, 1921.—ENTERED AS SECOND CLASS MATTER.

PRICE TWO CENTS

THREE CENTS  
WITHIN 200 MILES  
FOUR CENTS ELSEWHERE.

## BALFOUR FRAMING ANSWER TO U.S. ON PROTEST OVER YAP

League's Council. Flurried by Unexpected Situation. Is Divided on Stand to Be Taken.

### MATTER CALLED GRAVE

U. S. Likely to Be Invited to Session in May. With Decision on Island Postponed.

### JAPAN HAS FINAL WORD

Paris View Is Colby Note Represents Attitude of Harding. It Being Believed He Was Consulted.

By LAURENCE HILLS.  
Special Cable to THE NEW YORK HERALD.  
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New York Herald Bureau,  
Paris, Feb. 24.

A tentative reply to the American mandate note, which caused a great commotion in diplomatic circles here, is being prepared by Arthur J. Balfour, British representative in the Executive Council of the League of Nations meeting here, and is to be submitted to the council to-morrow or Saturday, when it will become the basis of discussion.

Only informal discussions on the American note have been held so far, but in these discussions various members of the council showed their embarrassment in being confronted unexpectedly with what several of them admitted was a very grave question, and one that was entirely new to them in their capacity as members of the council.

The council is much divided in its views, which is likely to preclude any decision on the mandates question at this meeting. Indeed, all indications are that a polite invitation will be sent to the United States to send representatives to the council meeting next May, a decision on the Class A and the Class B mandates being postponed until then.

### Reopening May Be Sought.

There is a possibility, however, that at least one member of the council may propose at this meeting that the Class C mandate covering the island of Yap be reopened in view of the protest by the United States, as this mandate is recognized as constituting the most serious phase of the whole question. This inference is seen in the selection of Mr. Balfour to draft the tentative reply to the United States, as he is known to take a legal view of the matter, rather than a diplomatic view. The legal view is concentrated on the question of whether the United States, after withdrawing from the Supreme Council, has a right to claim, as is done in the American note, "an equal concert and inseparable interest with the other principal allied and associated Powers in the German possessions."

Certain members of the council contend that the United States, having failed to ratify the Treaty of Versailles and having withdrawn from the Supreme Council, has no legal ground for contending that she has reserved any vested rights in the one time German colonies.

The diplomatic view is broader than this and concerns the question of whether it would be a good policy for the Powers to disregard the protest by the United States, with the risk it would involve in the general relations of the Powers with the United States in this critical hour.

### Britain Favors Legal View.

It is understood that the British Government favors the legal view, while France, China and some other nations want the question to be treated more broadly.

Without Japan's consent, however, it is admitted that the Class C mandates cannot be reopened.

Members of the council have been frantically exchanging telegrams with their governments since this mandates question was suddenly presented by the United States and which was never envisaged by them. They regard it as being of the greatest importance diplomatically.

Mr. Balfour alone seems to be invited to the powers usually given to a diplomat. Consequently, the real focus of the problem lies with the allied Powers, who are now meeting in London, with the council here merely advising. At the same time it is generally held here that responsibility for the situation for the island of Yap lies entirely with the Supreme Council.

In league circles the Class A and the

## BOARD MAY SELL HOG ISLAND AND 285 IDLE WOODEN SHIPS

Special Despatch to THE NEW YORK HERALD.

ADAM BENSON, chairman of the Shipping Board, said to-day that the board has received a tentative offer to purchase the Government plant and surplus property at the Hog Island shipyard and all of the 285 wooden ships owned by the board. He would not divulge the name of the man making the offer, but stated that no figure had been mentioned. The chairman of the board requested that the offer be put in writing and that evidence of proper financial backing be submitted.

The wooden ships built by the board during the war originally cost about \$140 a ton. They are of 3,500 tons burden and most of them are unfinished hulls.

They have been like white elephants on the hands of the board. It is very anxious to get rid of them on a fair basis and any reasonable offer from an American shipping concern doubtless would receive favorable consideration. It is not expected, of course, that anything like the cost of the ships can be obtained for them. They are at present moored at docks and perfectly useless to the Government. The value of the wooden hulls has been a matter of dispute and the Shipping Board has not put a value on them.

## SWEEPING LIQUOR RAIDS IN CAPITAL

Bellboys, Taxi Drivers and Others Rounded Up in 24 Hour Drive.

### MANY STILL'S SEIZED

Dry Agent Says Most of Liquor Is Alcohol Colored With Caramel.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau,  
Washington, D. C., Feb. 24.

Washington within twenty-four hours has been the scene of a sweeping whiskey raid in which forty-five prohibition agents swooped down on all the leading hotels, making wholesale arrests of bellboys, taxicab drivers and others. At last accounts the number of arrests exceeded fifty.

Bellboys from such hotels as the Willard and Congress Hall, to say nothing of the Lafayette Hotel, which even in the days before prohibition refused to keep a bar, were seized by the officers. The trail led to numerous residences and to private houses where stills were found—one of which had all the appearances of a fire extinguisher such as is common in large buildings.

The series of raids started late last night, when the agents went to the hotels to arrest bellboys against whom evidence had been obtained. The officers found it impossible to cover the field last night, so they continued their onslaught to-day.

The raids were in charge of Thomas E. Stone, supervising prohibition agent for the Maryland-Ohio district, which includes the District of Columbia. They were the result of an active campaign conducted for three weeks to collect evidence.

"More than 95 per cent. of all the alleged whiskey which we have seized in Washington during the last three weeks," Mr. Stone said, "has been alcohol colored with pure whiskey. Even that stuff which had a whiskey foundation was so adulterated that all that remained was the flavor."

"There is no pure whiskey for sale in Washington except at drug stores. I have had about fifty men working in Washington for the last three weeks and they have not turned up a bootlegger who has been selling 100 per cent. pure whiskey. Even that stuff which had a whiskey foundation was so adulterated that all that remained was the flavor."

The raids developed that the sale of whiskey was in the hands of bellboys and boys in charge of the hotel cloak rooms, in which they kept their stocks. The hotel management knew nothing about the practice.

There was some novelty in the way a part of the sales were accomplished. Those who inquired of the bellboys for whiskey received a note addressed to the bellboy of another hotel. Going there, the prospective purchaser was asked to check his overcoat. Presently it was returned to him with a quart of whiskey in a pocket which was hidden in the overcoat. The price was \$35 or \$20—according to conditions.

Evidence was collected, too, to show that some of the bootleggers were out of the States and were registered at the hotels and arranged with likely looking bellboys to dispose of their goods, which they brought with them in trunks.

### \$150,000 CHAMPAGNE STOCK CONFISCATED

Twenty-five Raids Made by Imported Dry Agents.

The raids by imported prohibition enforcement agents, predicted exclusively in THE NEW YORK HERALD, resulted yesterday in more than twenty-five arrests in Manhattan and Brooklyn and the seizure of more than \$150,000 worth of fine old champagne, light wines, cognac and Scotch whiskey on the premises of H. and L. Weinberger, at 1547 Madison avenue.

The raids were made under the direction of Dan R. Chapin, chief enforcement officer, who used a number of agents from Washington and elsewhere to supplement the local force. Large quantities of moonshine booze also were seized in the raids.

The Weinbergers are wholesale liquor dealers and have a large storage plant. Agents "Izzy" Einstein, Moe Smith and Herman Wittenberg went there yesterday afternoon and presented themselves as prospective purchasers of 300 cases of champagne. Einstein, it is alleged, purchased one quart of champagne for \$3, and after the bargain the entire contents of the warehouse were seized. The booze was taken to the Knickerbocker Warehouse. The Weinbergers will be arraigned before United States Commissioner Hitchcock for pleading.

There is a special provision printed in the Classified Section for those who are out of town or who are seeking better positions. Write for it—free.

Continued on Third Page.

## HETTRICK AND AIDS GUILTY; SENTENCE IS 6 TO 36 MONTHS

All Four Sent to Tombs for a Week Before Transfer to Penitentiary.

### SHOCK TO PRISONERS

Code Author and 51 Master Plumbers to Be Tried for Price Fixing.

### BIG LOCKWOOD VICTORY

More Criminal Prosecutions Soon Against Labor Men and Their Employers.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau,  
Washington, D. C., Feb. 24.

The Lockwood Legislative Committee on Housing scored its second decisive criminal court victory yesterday when John T. Hettrick and three co-defendants, indicted on evidence gathered by the committee in its inquiry into crookedness in the building trades, were found guilty of conspiracy and sentenced to the penitentiary on Blackwell's Island for terms that may amount to anywhere from six months to three years, in the discretion of the Parole Board.

Nor is this all for Hettrick. Immediately after the verdict had been announced it was stated that he would be placed on trial again on March 7 with fifty-one master plumbers, on another indictment charging violation of the State anti-trust laws through conspiracy to prevent competition and fix prices.

Yesterday's conviction is regarded as highly important, because Hettrick, until Samuel Untermyer, chief counsel to the Lockwood committee, pulled him from his pedestal, was virtually a czar of employers' organizations, just as Robert P. Brindell, recently convicted of extortion through the committee's efforts, was the czar of the labor organizations.

### Spends Night in Tombs at Last.

With his co-defendants, Hettrick spent last night in the Tombs, from which he had been able to keep himself previously by furnishing \$100,000 bail. His attorneys, Robert H. Elder and Charles H. Hyde, will endeavor to obtain his release upon a certificate of reasonable doubt, and similar action will be taken by counsel for the other prisoners.

One of the men convicted and sentenced with Hettrick is Herbert Smith, a member of the firm of Hemlin & Smith, master plumbers, of 14 West Ninety-ninth street, with offices also at 111 West 111th street, an established concern. He also is a man of the highest standing in his business and has been head of various big organizations of master plumbers in this city.

The other two defendants were William J. Doran and William H. Chapman, president and walking delegate respectively of the Journeymen Plumbers' Union, known as Local 46, of the United Association of Plumbers and Steamfitters of the American Federation of Labor.

The specific charge on which they stand convicted is a misdemeanor, consisting of conspiracy to coerce master plumbers into joining a ring dominated by Hettrick, which jacked up prices by means of a system of connivance in the submission of bids. Its operations were alleged to have been similar to those of the cut stone contractors who recently pleaded guilty to violation of the anti-trust laws, and to other Hettrick combines. Doran and Chapman were charged with having convinced foreign contractors to join this ring by threatening them with labor troubles.

The verdict was a severe shock to the defendants, and Smith and Doran both appeared on the verge of collapse as they gave their pedigrees to Clerk William Penny. Hettrick bit his lips and put up a show of bravado, but his voice faltered as he answered the clerk's questions. Chapman, who is also under indictment with Robert P. Brindell for alleged extortion, appeared the least worried.

### Jury Deliberates Quickly.

The jury took just two hours and nine minutes to decide the case. Deliberations began at 3:25 o'clock, and the verdict was in at 5:34. The jurors had returned once to court to request the reading of a part of Justice John V. McAvoy's charge, in which he had stated that unions had an unquestioned right to strike for better wages and working conditions, but that they had no right to conspire with employers to restrain competition and increase prices. The foreman of the jury was Arthur V. Taylor, an artist. Another member was Homer Croft, novelist and writer of many detective stories.

Before the verdict was known Hettrick, who has been stopping at the Hotel Albert, which is owned by Sheriff David H. Knott, turned to the Sheriff and said: "Which of your hotels will I stop at tonight?"

"I guess you'll sleep upstairs," the Sheriff told him.

It was at the request of the defendants that sentence was imposed immediately instead of being deferred. Mr. Elder moved for a new trial on behalf of Hettrick; Nathaniel Cohen made a similar motion on behalf of Doran; Eugene F. McDevie of the law firm of Fallon & McDevie spoke for Chapman, and Martin Conboy and George Z. Medalle pleaded for Smith. All of their motions were denied.

Continued on Fourth Page.

## Move to Break Prices of Building Materials

Special Despatch to THE NEW YORK HERALD.

CHICAGO, Feb. 24.—A nationwide propaganda, designed to break the price of building materials other than lumber will be inaugurated soon by a number of lumber associations and dealers, it was learned to-day in connection with the thirty-first annual convention of the Illinois Lumber and Builders Supply Dealers Association.

The campaign will take the form of signs to be distributed broadcast in the offices of the lumber and wood manufacturing companies, which will read: "Lumber is down in price. Other building materials must drop too."

"We expect," said one lumberman in discussing the plan, "that the constant repetition of this fact in the eyes of the various customers will build up a public sentiment which eventually will bring back and other materials down to the level to which lumber has dropped. Then building will begin again."

## HOOVER ACCEPTS POST IN CABINET

As Secretary of Commerce He Promises to Build Up Department.

### CONTINUES RELIEF WORK

Harding in Full Accord With Efforts to Aid European Sufferers.

Herbert C. Hoover will be Secretary of Commerce in the Harding Cabinet. Mr. Hoover was in telephonic communication last night with the President-elect at St. Augustine. After the conversation Mr. Hoover issued the following statement:

"President-elect Harding this evening asked me to state that he has included me in his nominations for the Cabinet as Secretary of Commerce. Senator Harding enters wholeheartedly into the plans for rebuilding the department and wishes that I continue to direct the policies of the European Relief."

Mr. Hoover sent word earlier in the day to Mr. Harding that he stood ready to accept the post. At the same time he told him he did not think he could be of as much service to the public there as in his present lines of activity unless he had a free hand to build up the department along lines already suggested by him. In any case he felt he would have to continue for a time, to oversee the European relief work.

Mr. Hoover told Mr. Harding he had dedicated his life to public service and he left it to the President-elect to say where he thought he could accomplish the most good.

"I have had some discussion with Senator Harding as to the future policies with respect to the Department of Commerce," said Mr. Hoover. "The Senator (Mr. Harding) is anxious that the department shall be strengthened and built up more nearly to meet the needs of the American business public than it does at the present time, and I have made some suggestions to him of constructive order in this direction. As the department now stands it is, with the exception of one bureau, comprised almost wholly of scientific and statistical bureaus. It is a Department of Commerce in name rather than in fact."

At the time of the Controller's conviction Judge Mayer directed that Mr. Craig appear before him on February 24—yesterday—and expressed the hope that the defendant, as a member of the Bar and as a public official of the city, would seek to clear himself. The court's retraction of the charges made in the letter, had Controller Craig and his counsel taken that course it would have been a case of punishment inflicted upon a man who had been a time at most.

When Judge Mayer convened at two o'clock, however, the procedure was wholly different. The Controller's retraction was apparently the last thing the defendant had in mind. The Controller's face was wreathed in smiles. He chatted easily with his counsel, Mr. Mooney, and with his secretary, who had accompanied him to court. When the case of "The United States vs. Charles L. Craig" was called, Col. Caffey, United States Attorney for this district, briefly moved for imposition of sentence.

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### Contempt Intention Is Denied.

Judge Mayer glanced at the defendant's counsel, Mr. Mooney rose and addressing the court was almost equally to the point. He was in touch in regard to the matter of the Controller's contempt. The latter urged him strongly to accept the sentence.

### U. S. POLICIES FIRST TASK FOR HARDING

They Will Be Given Precedence Over Appointments.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau,  
Washington, D. C., Feb. 24.

Discussion of foreign and domestic policies between President Harding, his Cabinet and men in Congress will take precedence of appointments to the next Administration, it was announced here to-day by Harry M. Daugherty, Mr. Harding's selection for Attorney-General. Mr. Daugherty is regarded as spokesman for the President-elect on this matter. He made the announcement without reservation.

"Before the matter of general ap-

Continued on Fourth Page.

## MAYER GIVES CRAIG 60 DAY JAIL TERM IN CONTEMPT CASE

Writ of Habeas Corpus to Test Sentence Issued by Circuit Judge Manton.

### PAROLED FOR A WEEK

Comptroller Refused to Retract Attack on District Judge's B.R.T. Policy.

### CALLED IT 'MONSTROUS'

If March 3 Ruling Is Adverse Craig's Only Hope Is Appeal to U. S. Supreme Court.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau,  
Albany, Feb. 24.

Legal advisers of twenty-five cities at a conference here this afternoon discussed the Governor's transit bill and voted to report to the midwinter Conference of Mayors, to be held in Albany next week, that a majority of those present to-day are opposed to the bill in its present form.

The corporation counsels and city attorneys of the cities picked the transit bill to pieces and pointed out what they termed defects. It is probable that amendments will be drawn to meet their criticism if the Mayors' conference next week indorses the action taken to-day by the lawyers.

A statement issued at the close of the meeting, which was an executive session held in City Hall, announced that "several of the corporation counsels advocated opposing the bill and all of the corporation counsels pointed out defects in the measure as now before the Legislature."

### Lunn Leads Movement.

Mayor Lunn, Socialist, of Schenectady, led the opposition to the bill. He had the backing of William L. Walling, Assistant Corporation Counsel of New York, all the Socialists and Democratic officials present and several Republicans.

No announcement was made of the vote cast on Mayor Lunn's resolution to report to the Mayors' conference that "a majority of the present are opposed to the Knight-Adler bill in its present form."

It was stated that the vote was more than two to one in favor of the resolution. Included in the opposition were those who believed amendments of relatively little importance should be made. It was stated, however, that the sentiment of the legal advisers of the cities was strongly against the bill as it stands.

The first motion was to appoint a committee of five to study the bill further and report to the Mayors next week. That was tabled, the vote being about 20 to 5. No record was kept. The motion was followed by a lengthy discussion of the measure. The biggest objection raised was that the bill overrode home rule and does not give the cities adequate freedom of expression. The corporation counsels insisted that provision of the bill should be strengthened in favor of the cities.

It would be made to the new commissioners having fifteen year terms as proposed; to the terms dealing with the abrogation of existing franchises, as it was, and to the provision for the commission having power to establish temporary rates, and to provisions in the bill which place the burden of proof on a company raising the question of rate not strong enough. There were other objections to details of the bill.

### Stresses Broken Contracts.

Mayor Lunn announced he was "unalterably opposed" to taking home rule away from cities. He reviewed the transit situation in Schenectady, showing how fares had been increased to help out the companies.

Secretary of the League of Batavia was reported to have said that "this is another Boston tax party. It is taxation without representation."

Among the cities represented were Troy, Schenectady, Albany, Watervliet and Cohoes, all of which are in the belt now affected by the big trolley strike which has stopped street car traffic throughout the section. Legal advisers were present also from Lackawanna, a Socialist city, Oneida, Little Falls, Port Jervis, Buffalo, Elmira, Binghamton, Mount Vernon, Yonkers, Oneonta, Johnstown, Auburn and Ithaca. There were others also present, and the Corporation Counsel of several cities who were not present sent letters pointing out their objections to the bill and specifying wherein they believed it should be amended.

Of the fifty-nine cities in the State fifty-eight have trolley car systems and twenty-six have franchise fare agreements, which will be affected by the Governor's transit bill. The municipal legal advisers maintained that their cities should not be compelled to give up to a new commission all control long for ten cent fares on fifteen trolley lines in Kings county. The announcement followed a second conference between the Commissioner and the representatives of the cities.

Attended by Mr. Mooney and a large escort of reporters Mr. Craig was led by the deputies to the office of Marshal McCarthy. As they entered the Marshal's detention room Mr. Mooney turned reassuringly to the reporters and said: "We'll have him out of this in five minutes."

More than an hour had elapsed, however, before counsel had succeeded in obtaining from Judge Manton the writ he sought. The procedure in Judge Manton's chambers was even more brief than that in Judge Mayer's court. Col. Caffey said he expected to raise the question of

Continued on Second Page.

## 2 Trolley Cars Seized; 8 Years Taxes Claimed

Special Despatch to THE NEW YORK HERALD.

POUGHKEEPSIE, Feb. 24.—Two trolley cars belonging to the New Palitz-Highland-Poughkeepsie Traction Company were seized to-day by Deputy Sheriff Harry Elliott of Ulster county for alleged non-payment of taxes. The deputy chained the cars up and signs were posted announcing that the cars are for sale. The taxes are alleged to amount to \$1,500, dating back for eight years.

## CITIES PICK FLAWS IN TRANSIT PLANS

Home Rule Cry Raised Again by Legal Advisers Who Vote Opposition.

### CONFERENCE AT ALBANY

Amendments of Relatively Small Import May Bring Many Into Line.

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## LAHEY IS INDICTED BY WHITMAN JURY AS MAN HIGHER UP

Chief Inspector of Police Is Accused of Taking Fee and Sending It to Subordinate.

### FREED ON \$2,500 BAIL

Whitman Says Case Is Only One of Many Still to Be Presented to Grand Jury.

### NAME THREE DETECTIVES

Members of Automobile Squad Among the Accused—Enright Forced to Suspend Right Hand Man.

Special Despatch to THE NEW YORK HERALD.

New York Herald Bureau,  
Albany, Feb. 24.

William J. Lahey, chief inspector of the Police Department, supervisor of both the uniformed and detective forces, was indicted yesterday by the grand jury on January Grand Jury on evidence presented by Charles S. Whitman, chief of the graft inquiry, who struck at last the elusive figure, "a man higher up."

Lahey, credited in some quarters with swinging more influence in the department than Commissioner Enright himself, is accused not of taking graft but of conniving at it. He is indicted as an accomplice.

He is charged with receiving from an insurance company a check for \$50 sent to headquarters as a reward for George J. Andrews of the automobile squad for the recovery of a stolen car, and with handing it over to Andrews without making any departmental record of the transaction, or seeing to it that 10 per cent. of the money went into the police pension fund, as required by the city charter.

He was indicted jointly with Andrews under section 152 of the penal law, which forbids a public officer from receiving a fee, outside his salary for the performance or non-performance of his duty. Violation of this is a felony punishable by imprisonment up to ten years, or a fine up to \$4,000 or both.

### Released on \$2,500 Bail.

Inspector Lahey surrendered at the Criminal Courts Building an hour after the Grand Jury reported, was held in \$2,500 bail by Judge Cram of General Sessions and released on a bond given by James J. Morand, president of the United States Trucking Company, of whose board of directors ex-Gov. Al Smith is chairman.

Lahey was suspended without pay by Commissioner Enright—the law compels this in case of indictment on a charge of felony—and was temporarily succeeded as chief inspector by Thomas E. Stone, who has been Brooklyn borough inspector.

Commissioner Enright had "nothing to say." Lahey, silent during the formal proceedings in the Criminal Courts Building, issued a statement later at headquarters. He said his indictment was predicated on the performance of necessary routine duties and added: "